

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA**

JAMES K. BENEFIELD and **CAROLYN SUE SCOTT**; individually and on behalf of others similarly situated, being the members of Proposed Class A;
ELGIN EDWARDS and **DANYELL SLAYTON**, individually and on behalf of others similarly situated, being the members of Proposed Class B; and **LORI ABBOTT** and **DONALD RAY JOHNSON**, individually and on behalf of others similarly situated, being the members of Proposed Class C; all of whom are citizens of Alabama,

vs.

INTERNATIONAL PAPER COMPANY, a New York corporation (Alabama No. F/C 853-624)

Civil Action No. 2:09-cv-00232

The Hon. Charles S. Coody
United States Magistrate Judge

**MOTION OF DEFENDANT INTERNATIONAL PAPER COMPANY TO
TRANSFER CASE**

Defendant International Paper Company respectfully moves this Court for an order under Federal Rule of Civil Procedure 42(a)(3) transferring this case to the Honorable W. Harold Albritton, III “to avoid unnecessary cost or delay.” Fed. R. Civ. P. 42(a)(3). Judge Albritton is presiding over *Brantley et al. v. International Paper Co.*, No. 2:09-cv-00230-WHA (M.D. Ala.), a case that was filed before this one, and that is identical to this case in all relevant respects. A memorandum of points and authorities in support of Defendant’s motion is filed herewith.

Dated: April 8, 2009

Respectfully submitted,

/s/ Casey L. Butts
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One of the attorneys for Defendant
International Paper Company

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 8th day of April, 2009, I electronically filed the foregoing **Motion of Defendant International Paper Company to Transfer Case** with the Clerk of the Court using the CM/ECF system, which will send a notification of such filing (NEF) to the following:

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